

## REMARKS

Applicants acknowledge receipt of the Office Action dated August 1, 2008, in which the Examiner rejected claims 1-5 as anticipated by MacKenzie (WO02/086285 and US 7185701) and indicated that claims 6 and 7 would be allowable if re-written in independent form.

Applicant respectfully traverses the rejection for the reasons set out below.

### Mackenzie does not anticipate claim 1 as-filed

As filed, claim 1 included a limitation reciting:

- an actuator for moving the expansion cone in forward direction through the pipe. . . and hydraulic drive means for axially moving the first and second members relative to each other, *wherein the hydraulic drive means is adapted to move the expansion cone in a forward direction through the pipe when the anchor is anchored to the inner surface of the pipe, and wherein the hydraulic drive means is adapted to move the first and second members relative to each other so as to move the anchor in a forward direction through the pipe when the anchor is released from the inner surface of the pipe.*

Thus, claim 1 requires that the hydraulic drive means is used in both the expansion portion of the cycle (when the cone is advancing) and the re-setting portion of the cycle (when the anchor is advancing). See p. 6, ll. 11-15 of the present specification.

In rejecting claim 1, the Examiner points to pistons 20 and 22 of Mackenzie as being the hydraulic drive means that meets this limitations. Applicants respectfully submit that this is not an accurate characterization of Mackenzie's device.

Mackenzie teaches that two or more pistons can be used together to hydraulically advance the expansion cone. Unlike the presently claimed device, the pistons in the Mackenzie device are aligned in series and co-operate to advance the expansion cone.<sup>1</sup> Neither of Mackenzie's pistons is arranged to move the anchor in a forward direction, i.e. to re-set the device for the next expansion cycle. Instead, Mackenzie relies on the drill string to advance the anchors 36 and 40, as described at p. 16, ll. 13-22 of WO02/086285.

Because the Mackenzie device does not use hydraulic force in the re-setting portion of the cycle, Mackenzie's device does not anticipate claim 1.

---

<sup>1</sup> Because the figures of Mackenzie are so difficult to read, an annotated and greatly-enlarged image of a portion of Figure 4 is appended hereto for the Examiner's convenience.

Nor would it be obvious to modify Mackenzie's device to meet the limitations of claim 1. Mackenzie teaches that the drill string (rather than hydraulic force) is used to re-set the device and does not suggest any shortcomings with that approach. Still further, Mackenzie teaches that the two pistons 20 and 22 are aligned in series in order to increase the hydraulic force available for expanding the pipe. Specifically, Mackenzie teaches that,

If higher expansion forces are required, then additional pistons can be added to provide additional force to move the expansion cone 14 and thus provide additional expansion forces. The additional pistons can be added in series to provide additional expansion force. Thus, there is no restriction on the amount of expansion force that can be applied as further pistons can be added; the only restriction would be the overall length of the apparatus 10. (p. 20, l. 25 to p. 21, l.2 of WO02/086285).

It would not be obvious to reverse the direction of one of the pistons of Mackenzie, as that would eliminate the advantage of the force-multiplying configuration taught by Mackenzie.

Because Mackenzie neither anticipates nor renders obvious claim 1 as originally filed, Applicants respectfully request that the rejection be reconsidered and withdrawn.

#### Current amendments to claim 1 do not alter the distinctions over Mackenzie

Claim 1 is currently amended to delete the recitations that the cone is moved forward "when the anchor is anchored to the inner surface of the pipe" and the anchor is moved forward "when the anchor is released from the inner surface of the pipe." Because the present specification contemplates that the anchors may be one-way anchors or may be settable anchors (see p. 4, ll. 19-21), applicants do not wish to require that the anchor be released in order to carry out the re-setting portion of the cycle.

Applicants submit that the replacement of the afore-mentioned recitations from claim 1 does not alter fact that the claim is distinguishable over the art of record, as set out above.

#### Claims 2-5

Claims 2-5 depend from claim 1 recite further limitations. Applicants submit that claims 2-5 are allowable over the art of record for at least the reasons set out above.

Allowable claims 6-7

Applicants appreciate the Examiner's indication that claims 6 and 7 would be allowable if re-written. Applicants agree, and have written new claims 8 and 9 that are commensurate in scope with claims 6 and 7 as-filed. Nonetheless, because of the amendments to claim 1, claims 6 and 7 have been left in their original state. Applicants respectfully submit that claims 6 and 7 are also allowable as-written because they depend from an allowable base claim.

Conclusion

Applicants respectfully submit that the present amendments cure all of the grounds for rejection and therefore request that the Examiner allow the case. If the Examiner has any questions or suggestions that could be addressed telephonically, the Examiner is respectfully urged to telephone the undersigned.

Respectfully submitted,

FILIPPOV, Andrei Gregory, et al.

P.O. Box 2463  
Houston, Texas 77252-2463

/Marcella D. Watkins/  
Attorney, Marcella D. Watkins  
Reg. No. 36,962  
(713) 241-1041